



PSN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )  
Mark Simakaski et al. )  
Serial No. ~~10/963,515~~ 10/672,460 )  
Filed ~~October 14, 2004~~ )  
For CHOPPING PUMP )  
IMPELLER ASSEMBLY )

Group Art Unit 3745  
Examiner Christopher M. Verdier  
Confirmation No. 3432  
Customer No. 39905

**Certificate of Mailing**

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 5, 2006.

  
Angela R. Gamble, Asst. to George W. Moxon II

**TRANSMITTAL SHEET**

Enclosed are the following documents:

Amended Specification

Amended Claims

Response to Notice of Non-Compliant


Copy of Notice of Non-Compliant Amendment Dated December 19, 2005

Return Receipt Postcard

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

The Director is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0959 (067920.1278).

Respectfully submitted

  
George W. Moxon II, Reg. No. 26,615

Roetzel and Andress

222 South Main St.

Akron, Ohio 44308

(330) 849-6689

Attorney for Applicant

10  
January 8, 2006

RECEIVED DEC 22 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 12 2006

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,460	09/26/2003	Mark Simakaski	067920-1278	3432
39905	7590	12/19/2005		
ROETZEL AND ANDRESS 222 SOUTH MAIN STREET AKRON, OH 44308				
EXAMINER VERDIER, CHRISTOPHER M				
ART UNIT		PAPER NUMBER		
3745				

DATE MAILED: 12/19/2005

*Response Due 1/19/06*

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED

DEC 22 2005

DEBBIE LOWE

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10672460

Examiner

Applicant(s)

Art Unit

-- The MAILING DATE of this communication appears on the coversheet with the correspondence address --

The amendment document filed on 12/12/2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other: Please put changes to the specification in paragraph form and include markings.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other: \_\_\_\_\_
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_
- ☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Tina M. Bell

Legal Instruments Examiner (LIE)

571-272-1553

Telephone No.